

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - March 19, 1969

Appeal No. 9968 Nathaniel and Elizabeth C. Davis, appellants.

The Zoning Administrator of the District of Columbia, appellee.

On motion duly made, seconded and unanimously carried, the following Order was entered at the meeting of the Board on March 25, 1969.

EFFECTIVE DATE OF ORDER - April 28, 1969

ORDERED:

That the appeal for variance of the closed court requirements of the R-5-B District to permit construction of single-family dwelling at 935 - 26th Street, NW., lot 94, square 16, be granted.

FINDINGS OF FACT:


1. The subject property is located in an R-5-B District.
2. The property is presently unimproved, but it is proposed to erect a single-family dwelling containing four bedrooms on the second floor.
3. The front of the lot is 25 feet but tapers to 18 feet at the rear.
4. As the result of the shape of the lot, appellant has been unable to place bedrooms side by side at the 18 foot width dimension of the lot. The rooms have been placed one in front of the other. A court measuring 8 x 13 feet has been created.
5. Under Section 3306.1 of the Regulations the subject closed court is required to be 15 feet wide.
6. No objection to the granting of this appeal was registered at the public hearing.

OPINION:

We are of the opinion that the appellant has shown a hardship within the meaning of the variance clause of the Zoning Regulations and that to deny the requested relief would result in undue hardship upon the owner. Further, we hold that the relief can be granted without substantial detriment to the public good and without substantially impairing the integrity and intent of the Zone plan as embodied in the Zoning Regulations and map.

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

By: 
CHARLES E. MORGAN
Secretary of the Board

THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DIRECTOR OF INSPECTIONS WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.